



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB4463

by Rep. La Shawn K. Ford

SYNOPSIS AS INTRODUCED:

New Act

Creates the Peace Officer and Security Guard Taser Carrying Act. Provides that every peace officer and security guard who is required to carry a firearm during his or her duties as a peace officer or security guard shall also carry a taser during those duties. Provides that the law enforcement agency that employs the peace officers shall purchase the tasers or may require that the peace officer purchase a taser approved by the agency at his or her expense. Provides that the private security contractor agency shall purchase the tasers for its employees. Provides that each taser carried by a peace officer or security guard must be logged by the employer. Provides that each law enforcement agency shall maintain the taser for each peace officer who is required to carry a firearm during his or her duties. Preempts home rule.

LRB099 16086 RLC 40410 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Peace
5 Officer and Security Guard Taser Carrying Act.

6 Section 5. Definitions. As used in this Act:

7 "Firearm" has the meaning ascribed to it in Section 1.1 of
8 the Firearm Owners Identification Card Act.

9 "Law enforcement agency" means an agency of this State or a
10 unit of local government which is vested by law or ordinance
11 with the duty to maintain public order and to enforce criminal
12 laws or ordinances.

13 "Peace officer" has the meaning ascribed to it in Section
14 2-13 of the Criminal Code of 2012.

15 "Private security contractor agency" has the meaning
16 ascribed to it in Section 5-10 of the Private Detective,
17 Private Alarm, Private Security, Fingerprint Vendor, and
18 Locksmith Act of 2004.

19 "Security guard" means an employee of a licensed private
20 security contractor agency who is required to carry a firearm
21 during the performance of his or her duties.

22 "Taser" has the meaning ascribed to it in Section 24-1 of
23 the Criminal Code of 2012.

1 Section 10. Peace officer and security guard carrying
2 firearm; taser required.

3 (a) Every peace officer and security guard who is required
4 to carry a firearm during his or her duties as a peace officer
5 or security guard shall also carry a taser during those duties.

6 (b) The law enforcement agency that employs the peace
7 officers shall purchase the tasers; however, the law
8 enforcement agency may require that the peace officer purchase
9 a taser approved by the agency at his or her expense or may
10 supply a taser to the peace officer. The private security
11 contractor agency shall purchase the tasers for its employees.

12 (c) Each taser carried by a peace officer or security guard
13 must be logged by the employer.

14 (d) Each law enforcement agency shall maintain the taser
15 for each peace officer who is required to carry a firearm
16 during his or her duties.

17 Section 15. Home rule. A home rule unit may not regulate
18 the carrying of tasers by peace officers and security guards in
19 a manner inconsistent with the regulation by the State of the
20 carrying of tasers by peace officers and security guards under
21 this Act. This Section is a limitation under subsection (i) of
22 Section 6 of Article VII of the Illinois Constitution on the
23 concurrent exercise by home rule units of powers and functions
24 exercised by the State.